

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS

Pine Village North Association

Plaintiff,

v.

Dennis Fisher and Sheryl Fisher,

Defendants.

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CIVIL ACTION NO. 4:21-CV-02118

**ORDER CONCERNING PLAINTIFF’S RULE 11
MOTION FOR SANCTIONS**

On this day the Court considered Plaintiff’s Rule 11 Motion for Sanctions. The Court, having considered this motion, the responses thereto, the pleadings on file herein, the applicable law, and arguments of counsel hereby GRANTS Plaintiff’s motion.

Defendants Dennis Fisher and Sheryl Fisher are hereby sanctioned as outlined herein as a result of the Defendants’ frivolous removal of the state court action to Federal Court. Defendants’ Notice of Removal was untimely and in violation of 28 U.S.C.S § 1446. Further, the Court finds that Defendants’ Notice of Removal was filed for an improper purpose and is a violation of Fed. R. Civ. P. 11(b) in that the Notice of Removal was filed to cause unnecessary delay of the trial pending in the 333rd District Court of Harris County, Texas and needlessly increase the cost of litigation. In so

doing, Defendants Dennis Fisher and Sheryl Fisher have abused the Federal Court rules and procedures.

Accordingly, Defendants Dennis Fisher and Sheryl Fisher, shall pay to Plaintiff the sum of \$ _____ as sanctions for Plaintiff's reasonable and necessary attorney's fees incurred, said sum to be paid within _____ days of the signing of this Order.

FURTHER, Defendants Dennis Fisher and Sheryl Fisher, shall pay to the Court the sum of \$ _____ as sanctions pursuant to Rule 11.

All relief not expressly granted is DENIED.

SO ORDERED IN HOUSTON, TEXAS, ON _____, 2021.

DAVID HITTNER
UNITED STATES DISTRICT JUDGE